

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EMA FINANCIAL, LLC,

Plaintiff,

-against-

JOEY NEW YORK INC., et al.,

Defendants.
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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/21/2021

17-cv-9706 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

The parties in the above-captioned litigation appeared before me beginning on Monday, June 14, 2021, for a bench trial conducted over videoconference, and I heard five days of testimony. In light of the testimony and representations made at the trial, it is hereby:

ORDERED that the relevant parties are directed to submit the materials I requested at trial. The materials I have requested include, but are not necessarily limited to, the following:

- (1) Plaintiff's documentation—which I authorize Plaintiff to submit *in camera*—regarding any conversions and/or sales Plaintiff made of Joey New York, Inc. stock, including the conversion price for the stock calculated pursuant to the Note(s), the sales price for the stock per share, and the resulting total amount money generated as a result of the conversions and sales;
- (2) any documents Defendants receive in response to any subpoena for documents related to the receipts, reimbursements, and expenses of Defendant Richard Roer;
- (3) any due diligence materials that Plaintiff has in its possession related its agreement with Defendants, including but not necessarily limited to the three-page "Due Diligence Questionnaire" and the Google searches into the Defendants that Felicia Preston referenced during her trial testimony;
- (4) any Powerpoint presentation or deck that Defendant Richard Chancis or any other Defendant provided to Plaintiff and/or Felicia Preston, as referenced in Richard Chancis's testimony;
- (5) any documentation that Defendant Richard Chancis has—which Richard Chancis should submit *in camera*—that relates to any conversions and/or stock sales Plaintiff has made of Joey New York, Inc. stock; and
- (6) any emails Defendant Richard Chancis sent from his personal email address to

Stephanie Csepke regarding reimbursements and/or requests for payment, as referenced in his testimony, provided they were produced in discovery.

IT IS FURTHER ORDERED that the trial record will remain open to account for the documents and information requested above and any subsequent testimony related to that documentation.

IT IS FURTHER ORDERED that the parties are directed to submit a joint status update on or before July 19, 2021, indicating the status of the document productions mentioned in this order.

SO ORDERED.

Dated: June 21, 2021
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

Vernon S. Broderick
United States District Judge